

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America,
Plaintiff,

v.

Cr. No. 02-147-01-SM

Darren Franceski,
Defendant,

and

SunTrust Banks, Inc.,
Garnishee.

ASSENTED-TO ORDER TO RELEASE FUNDS
AND TO QUASH WRIT OF CONTINUING GARNISHMENT

On November 4, 2009, a Writ of Continuing Garnishment and Clerk's Notice of Continuing Garnishment were issued in the above-captioned action by James R. Starr, Clerk, United States District Court. In accordance with the terms of the Writ of Garnishment, levy was made on the defendant's bank account(s) held by SunTrust Banks, Inc., on November 10, 2009, by the United States of America. Copies of the Application, Clerk's Notice and Writ of Continuing Garnishment were sent to defendant, through his counsel, Brett Norvig, on November 12, 2009, certified mail, return receipt.

Pursuant to 28 U.S.C. §3202(d), defendant is entitled to a hearing and the defendant hereby waives his right to a hearing on the Writ of Continuing Garnishment. Therefore, it is

ORDERED that the funds in the amount of \$1,531.94 seized on November 10, 2009, from an account in the name Darren Franceski, which are in the possession, custody or control of SunTrust Banks, Inc., be released to the United States of America. Said funds should be made payable to the Clerk, United States District Court, and sent to U.S. District Court, 55 Pleasant Street, Room 110, Concord, NH 03301; and further

ORDERED the Writ of Continuing Garnishment issued on November 10, 2009, is hereby quashed pursuant to 28 U.S.C. § 3205(10)(A).

Respectfully submitted,

DARREN FRANCESKI
Pro Se Defendant

JOHN P. KACAVAS
United States Attorney

By:/s/ Darren Franceski
Darren Franceski, pro se
Orlando, FL 32828

By:/s/ Michael T. McCormack
Michael T. McCormack (16470)
Assistant U.S. Attorney
53 Pleasant Street
Concord, NH 03301
(603) 225-1552
Michael.McCormack2@usdoj.gov

DATED: November 23, 2009

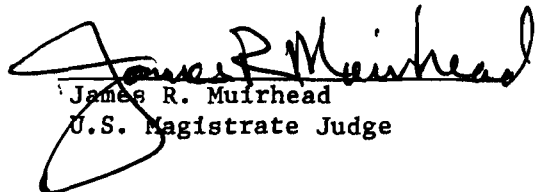
Dated: November 23, 2009

IT IS SO ORDERED.

DATED:

11-23-09

cc: Michael T. McCormack, AUSA
Darren Franceski, pro se
SunTrust Banks, Inc.


James R. Muirhead
U.S. Magistrate Judge